

UNITED STATES DISTRICT COURT  
THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION

Case No. 2:18-md-2846

Judge Edmund A. Sargus, Jr.  
Magistrate Judge Kimberly A. Jolson

This document relates to:  
*Osburn v. Davol, Inc., et al.*  
Case No. 2:23-cv-2764

**ORDER**

Plaintiff Niki Osburn has filed three complaints, via two different attorneys, in this multidistrict litigation (“MDL”) alleging injuries caused by a Ventralex ST hernia mesh device. The first case, filed on September 16, 2020, was dismissed without prejudice for Plaintiff’s failure to serve complaint (Case No. 20-cv-4854, ECF No. 7). The second case, filed on February 11, 2022, remains pending (Case No. 22-cv-615). On August 25, 2023, Plaintiff filed this case (ECF No. 1). On November 28, 2023, Defendants filed a motion to dismiss the instant action as duplicative of Case No. 22-cv-615. (ECF No. 3.) Plaintiff did not file a response, and the Court will therefore treat the motion as unopposed. Accordingly, Defendants’ motion (ECF No. 3) is **GRANTED** and this case is **DISMISSED**.

**IT IS SO ORDERED.**

1/10/2024  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE